United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:25-cv-10614-LTS

Chehab v. Noem et al
Assigned to: District Judge Leo T. Sorokin
Cause: 8:1105(a) Aliens: Habeas Corpus to Release INS Det

Date Filed: 03/14/2025
Jury Demand: None
Nature of Suit: 463 Habeas Corpus - Alien Detainee
Jurisdiction: U.S. Government Defendant

Petitioner

Yara Chehab
as Next Friend of Rasha Alawieh

represented by **Golnaz Fakhimi**
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V.

Respondent

Kristi Noem
Acting Secretary of U.S. Department of

represented by **Mark Sauter**
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Respondent

Peter R. Flores
in his official capacity as Commissioner, U.S. Customs and Border Protection ("CBP")

represented by **Mark Sauter**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael P. Sady
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

Marco Rubio
U.S. Secretary of State

represented by **Mark Sauter**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael P. Sady
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

John Doe
Field Director, CBP, Boston Field Office

represented by **Mark Sauter**
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Michael P. Sady
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Date Filed	#	Docket Text
03/14/2025	1	PETITION for Writ of Habeas Corpus (2241) Filing fee: $ 5, receipt number AMADC-10893468 Fee status: Filing Fee paid., filed by Yara Chehab. (Attachments: # 1 Category Form, # 2 Civil Cover Sheet)(Marzouk, Stephanie) (Entered: 03/14/2025)
03/14/2025	2	EXHIBIT re 1 Petition for Writ of Habeas Corpus (2241) *Exhibits 1, 2, 3* by Yara Chehab. (Marzouk, Stephanie) (Entered: 03/14/2025)
03/14/2025	3	ELECTRONIC NOTICE of Case Assignment. District Judge Leo T. Sorokin assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Jessica D. Hedges. (CM) (Entered: 03/14/2025)
03/14/2025	4	District Judge Leo T. Sorokin: ORDER entered. STANDING ORDER on 2241 petitions regarding detention and removal of the Petitioner from the District of Massachusetts. (Currie, Haley) (Entered: 03/14/2025)
03/14/2025	5	General Order 19-02, dated June 1, 2019 regarding Public Access to Immigration Cases Restricted by Federal Rule of Civil Procedure 5.2(c). (Currie, Haley) (Entered: 03/14/2025)
03/14/2025	6	ELECTRONIC NOTICE of Hearing. Today a verified petition was filed on behalf of Dr. Alawieh alleging Dr. Alaweih was being held by the United States at Logan Airport, specifically by Customs and Border Protection, notwithstanding having a visa issued authorizing her entry into the United States to work at Brown University. The Court will hold an in-person hearing on Monday March 17, 2025 at 10:00 a.m. If Dr. Alaweih remains in the custody of the United States, she shall be brought to this in-person hearing by the United States. Whether or not she is in custody of the United States, the Court anticipates proceeding with the hearing at which the United States shall explain the basis for the custody. The Clerk shall provide this notice to the duty AUSA as well as the Chief of the Civil Division of the USAO.Hearing set for 3/17/2025 10:00 AM in Courtroom 13 (In person only) before District Judge Leo T. Sorokin. (Sorokin, Leo) Modified on 3/17/2025 (SED). (Entered: 03/14/2025)
03/15/2025	7	NOTICE of Pro Bono Attorney Appearance by John A. Freedman on behalf of Yara Chehab (Freedman, John) (Entered: 03/15/2025)
03/15/2025	8	MOTION for Leave to Appear Pro Hac Vice for admission of Clare A. Saunders Filing fee: $ 125, receipt number AMADC-10893683 by Yara Chehab.(Freedman, John) (Entered: 03/15/2025)
03/15/2025	9	ELECTRONIC NOTICE of Hearing: Hearing set for 3/17/2025 10:00 AM in Courtroom 13 (In person only) before District Judge Leo T. Sorokin. (SED) (Entered: 03/15/2025)
03/15/2025	10	NOTICE by Yara Chehab *(NOTICE OF APPARENT VIOLATION OF COURT ORDER & EMERGENCY REQUEST FOR JUDICIAL ACTION)* (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Freedman, John) (Entered: 03/15/2025)
03/15/2025	11	MOTION for Leave to Appear Pro Hac Vice for admission of Andrew T. Tutt Filing fee: $ 125, receipt number AMADC-10893767 by Yara Chehab.(Freedman, John) (Entered: 03/15/2025)
03/16/2025	12	District Judge Leo T. Sorokin: ELECTRONIC ORDER entered. On Friday Yara Chehab filed a habeas corpus petition. Petitioner alleges, by way of a verified petition, that Dr. Alawieh possesses a valid visa authorizing her entry into the United States, that she had been detained at Logan Airport for approximately 36 hours and

		that she would be removed from the United States that evening. Subsequent filings indicate Dr. Alaweie was removed. The government shall file a response to these allegations by 8:30 a.m Monday March 17, 2025 so that it is available to the Court and the petitioner in advance of the previously scheduled hearing at 10:00 a.m. on March 17, 2025. There is a second issue before the Court. Shortly after the filing of the petition the Court ordered that Dr. Alawieh, the subject of the petition, shall not be removed from the District of Massachusetts without forty-eight hours prior notice to the Court so that the Court could consider the issues raised in the petition. The issuance of this Order is common practice in this district as it has been for years. In a motion filed yesterday, Petitioner alleges that Customs and Border Patrol received actual notice of the Court's Order described above and nonetheless thereafter "willfully" disobeyed the Order by sending her out of the United States. These allegations are supported by a detailed and specific timeline in an under oath affidavit filed by an attorney. The government shall respond to these serious allegations with a legal and factual response setting forth its version of events. This response is also due by 8:30 a.m. Monday March 17, 2025 so that it is available to the Court and the petitioner in advance of the hearing on Monday. In addition, the government shall preserve all of the documents bearing on Dr. Alawieh's arrival and removal since the issuance of the visa described in the Petition including emails and text messages. The Clerk shall email this Order to AUSAs Sady and Farquhar as well as the Chief of the Civil Division of the USAO. (SED) (Entered: 03/16/2025)
03/16/2025	13	MOTION for Leave to Appear Pro Hac Vice for admission of R. Stanton Jones Filing fee: $ 125, receipt number AMADC-10893820 by Yara Chehab.(Freedman, John) (Entered: 03/16/2025)
03/16/2025	14	MOTION to Withdraw as Attorney by Yara Chehab.(Freedman, John) (Entered: 03/16/2025)
03/16/2025	15	MOTION to Continue Hearing by Yara Chehab.(Marzouk, Stephanie) (Entered: 03/16/2025)
03/17/2025	16	ANSWER to Complaint by Kristi Noem, Peter R. Flores, Marco Rubio, John Doe. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Sady, Michael) (Entered: 03/17/2025)
03/17/2025	17	NOTICE of Appearance by Mark Sauter on behalf of Kristi Noem, Peter R. Flores, Marco Rubio, John Doe (Sauter, Mark) (Entered: 03/17/2025)
03/17/2025	18	NOTICE of Appearance by Michael P. Sady on behalf of Kristi Noem, Peter R. Flores, Marco Rubio, John Doe (Sady, Michael) (Entered: 03/17/2025)
03/17/2025	19	District Judge Leo T. Sorokin: ELECTRONIC ORDER entered. On Friday March 14, 2025 a habeas petition was filed on behalf of Dr. Rasha Alawieh after which the Court, per standard practice, issued an Order directing that Dr. Alawieh not be removed from the district without forty-eight hours notice to the Court. This Order issued at 7:18 p.m., thereafter the Clerk's Office transmitted the Order to the United States Attorney's Office. The Court also scheduled a hearing on the petition for Monday March 17, 2025 at 10:00 a.m. On Sunday March 16, 2025, in response to allegations by counsel for the petitioner that the government had allegedly "willfully" disobeyed the Court's Order, Doc. No. 10, the Court directed a response from the government due this morning. Late in the evening on March 16, 2025, the lawyers filing this allegation moved to withdraw from this case stating that "as a result of further diligence, they no longer

		represent[] the petitioner". The Motion to Withdraw is ALLOWED and the related pro hac vice motions are TERMINATED AS WITHDRAWN. Petitioner's remaining lawyer simultaneously filed a motion asking the Court continue the hearing scheduled for today noting both a change in circumstance (Dr. Alawieh is now in Lebanon) and that new lawyers requiring additional time to prepare will be appearing. Meanwhile, the government has responded to the Petition by requesting its dismissal. The government has also responded to the allegations made by withdrawn counsel that CBP disobeyed the Court's Order. The Court appreciates the prompt response by the government. Supported by an affidavit from the CBP Watch Commander, the government explains that CBP Officers at Logan did not receive notice of the Court's Order from their legal counsel until after Dr. Alawieh "had already departed the United States" and that "[a]t no time would CBP not take a court order seriously or fail to abide by a court's order." In light of all of the foregoing the Court ALLOWS the Motion to Continue, CANCELS the hearing scheduled for today, provides the government until March 24, 2025, to supplement its response to the extent it wishes regarding the factual allegations on the notice issue, and directs Petitioner to respond, by March 31, 2025, to the request by the government to dismiss the petition. (SED) (Entered: 03/17/2025)
03/17/2025	20	Emergency MOTION to Seal Document 16 Answer to Complaint *and all exhibits* by Yara Chehab.(Marzouk, Stephanie) (Entered: 03/17/2025)
03/17/2025	21	District Judge Leo T. Sorokin: ELECTRONIC ORDER entered. Petitioner has filed a motion to seal the response of the government to the petition, including the exhibits to the response. Those documents shall remain sealed while the motion remains pending. (SED) (Entered: 03/17/2025)
03/28/2025	22	First MOTION for Leave to Appear Pro Hac Vice for admission of GOLNAZ FAKHIMI Filing fee: $ 125, receipt number AMADC-10918904 by Yara Chehab. (Attachments: # 1 Supplement DECLARATION OF GOLNAZ FAKHIMI IN SUPPORT OF MOTION FOR ADMISSION PRO HAC VICE)(Marzouk, Stephanie) (Entered: 03/28/2025)
03/28/2025	23	District Judge Leo T. Sorokin: ELECTRONIC ORDER entered granting 22 Motion for Leave to Appear Pro Hac Vice Added Golnaz Fakhimi. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. (FGD) (Entered: 03/28/2025)
03/28/2025	24	NOTICE of Appearance by Golnaz Fakhimi on behalf of Yara Chehab (Fakhimi, Golnaz) (Entered: 03/28/2025)
03/31/2025	25	MOTION for Extension of Time to May 5, 2025 to File an amended/petition or otherwise respond to Resp'ts' March 17, 2025, filing, if no amended petition/complaint is otherwise filed by Yara Chehab. (Attachments: # 1 Decl. of Golnaz Fakhimi, # 2 Proposed Order) (Fakhimi, Golnaz) (Entered: 03/31/2025)

03/31/2025	26	Proposed Document(s) submitted by Yara Chehab. Document received: Corrected Proposed Order. (Fakhimi, Golnaz) (Entered: 03/31/2025)

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